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6 Attorneys for Defendant
ALFREDO BALLON
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Appellee,

13 vs.

14 ALFREDO BALLON,

15 Appellant.
16

Case No. 1:21-cr-00276-ADA-BAM

**STIPULATION TO TEMPORARILY
MODIFY CONDITION OF PROBATION;
ORDER**

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Jeffrey Spivak, counsel for plaintiff, and Assistant
19 Federal Defender Erin Snider, counsel for Alfredo Ballon, that the Court may temporarily
20 modify Special Condition 4 of his probation to allow Mr. Ballon to travel overnight to San
21 Diego, California, to attend his brother's wedding.

22 The parties agree and request that the Court make the following findings:

23 1. On July 11, 2022, the Court sentenced Mr. Ballon to three years of probation.
24 Pursuant to Special Condition 4 of Mr. Ballon's probation, he is subject to location monitoring
25 for a period of 90 days: "You are restricted to your residence at all times except for employment,
26 education, religious services, medical, substance abuse, or mental health treatment, attorney
27 visits, court appearances, court-ordered obligations, or other activities in advance as pre-
28 approved by the supervising officer." ECF #30.

2. Since beginning his term of probation on July 11, 2022, United States Probation Officer Rick Tarazon has been supervising Mr. Ballon. According to an email defense counsel received from Officer Tarazon on September 6, 2022, Mr. Ballon has maintained compliance with location monitoring and all other conditions of supervision.

3. Mr. Ballon's brother is getting married on Saturday, September 17, 2022, in San Diego, California. The ceremony is scheduled to begin at 4:00 p.m. Mr. Ballon wishes to attend his brother's wedding. Officer Tarazon has advised that he can approve a day trip to San Diego but any overnight travel requires Court approval. Due to the distance between Fresno and San Diego—an approximately five-and-a-half hour drive—Mr. Ballon is hopeful that he can stay overnight. If this Court grants approval, Mr. Ballon would leave his home in Fresno at 6:00 a.m. on September 17, 2022, and return to his home in Fresno by 9:00 p.m. the following day, September 18, 2022. The proposed times have built-in flexibility in case of traffic.

4. Defense counsel contacted Officer Tarazon regarding his position on this request on September 6, 2022. Officer Tarazon advised that he has no objection.

5. Counsel for the government likewise has no objection to this request.

IT IS SO STIPULATED.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: September 6, 2022

/s/ Jeffrey Spivak
JEFFREY SPIVAK
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: September 6, 2022

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
ALFREDO BALLON

ORDER

IT IS SO ORDERED. The Court approves the defendant's request to be absent from his residence from 6:00 a.m. on September 17, 2022, to 9:00 p.m. on September 18, 2022.

IT IS SO ORDERED.

Dated: September 13, 2022


UNITED STATES DISTRICT JUDGE